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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/618,677

07/15/2003

Hung-Yi Wu

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10/04/2006

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EXAMINER

DUONG, OANH L

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 10/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/618,677

Applicant(s)

WU, HUNG-YI

Examiner

Oanh Duong

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-3 are presented for examination.
Claims 4-7 have been canceled.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kim et al.** (hereafter, Kim), U.S. Pub. No. **2003/0120729 A1**, in view of **Kuroshima et al.** (hereafter, Kuroshima), U.S. Patent No. **6,782,426 B1**.

Regarding claim 1, Kim teaches a network image transmission system (i.e., the HTML page embedding link created for each image file is transmitted, page 7 paragraph [0092], Fig. 1), comprising:

a versatile business machine as a server site (i.e., scanner 4 including NEB 14, Fig. 1), including:

an image acquisition module (i.e., scanning software), used to retrieve image data (i.e., scanner including a software module that scans in a document, generates an image file for the document, page 3 paragraph 0039) and page 4 paragraph [0049]);

a data storage module, storing the image data (i.e., *NEB 14 including a software module for storing image files which are transferred it for storage thereby*, page 3 paragraph [0040] and page 4 paragraph [0049]) and obtaining an image data hyperlink address to generate an image data hyperlink embedded hypertext (i.e., *a link corresponding to the new image file is created and added to the HTML page*, page 5 paragraph [0067]);

a server site information management program (i.e., HTTP server), receiving an image data retrieving command to transmit the image data hyperlink embedded hypertext (i.e., *a request for a particular page is received, and attempt is made to locate an HTML page corresponding to the received request, the HTML page is retrieved and transmitted*, page 3 paragraph [0046], and page 5 paragraph [0071]); and

a first communication interface with hypertext transmission protocol (i.e., HTTP protocol), transmitting the image data hyperlink embedded hypertext (i.e., *NEB 14 supports a Hypertext Transfer Protocol (HTTP) server which enable workstations having access to web 10 to access NEB 14 using a web browser which supports HTTP protocol. Accordingly, NEB 14 contain file which may be passed to a such web browser according to HTTP protocol such as HTML fie, or GIF files*, page 3 paragraph [0046]);

a host (i.e., workstation), receiving the image data (i.e., *when received by a web browser of workstation, a web page is displayed including links to the image files*, page 6 paragraph [0076]), the host including:

a user-site management program (i.e., a web browser), sending the image data retrieving command to the server-site data management program (i.e., *upon receipt of a request/command sending from a web browser, Neb 14 including HTTH server*

retrieves the HTML page containing the link to the scanned document and then generates and sends to the requester, page 4 paragraph [0049]), and receiving and displaying the image data hyperlink hypertext (i.e., when received by a web browser, the web page including links to the image files is displayed, page 6 paragraph [0076]);

a second communication interface with hypertext transport protocol (i.e., workstation having access to NEB 14 using a web browser which supports HTTP protocol, page 3 paragraph [0046]), transmitting the image data hyperlink embedded hypertext to the user-site data management program (i.e., sending to requester/browser the HTML page containing the link, together with links to other images files corresponding to documents previously scanned, page 4 paragraph [0049] and page 6 paragraph [00761]); and

a network (i.e., web 10), linking the first communication interface of the versatile business machine to the second communication interface of the host (i.e., workstation having access to Web 10 to access NEB 14 using a web browser which supports HTTP protocol, page 43 paragraph [0046]).

Kim does not explicitly teach TWAIN interface.

Kuroshima teaches server-client system wherein a TWAIN device such as scanner having a versatile interface is used, and an HTTP protocol is used as versatile network protocol is used as versatile protocol for controlling exchange of scanned image data (col. 11 lines 15-33 and col. 15 line 21-col. 16 line 57).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of **Kim** to include a TWAIN interface as taught by **Kuroshima** because such TWAIN interface would simplify the scanning

process by enhancing the compatibility of the image-handling software and hardware of the system (see Applicant Admitted Prior Art in page 1 lines 16-17).

Regarding claim 2, Kim teaches the system of claim 1, wherein the image acquisition module retrieves the image data by scanning (i.e., *scanner 4 electronically scans hard copies of documents to generate binary or multilevel, color or grey scale, image files*, page 3 paragraph [0040]).

Regarding claim 3, **Kim** teaches the system of claim 1, wherein the user-site data management program is a data management program with browsing function (i.e., a web browser, page 3 paragraph [0046]).

Kim does not explicitly teach TWAIN interface.

Kuroshima teaches server-client system wherein a TWAIN device such as scanner having a versatile interface is used, and an HTTP protocol is used as versatile network protocol is used as versatile protocol for controlling exchange of scanned image data (col. 11 lines 15-33 and col. 15 line 21-col. 16 line 57).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of **Kim** to include a TWAIN interface as taught by **Kuroshima** because such TWAIN interface would simplify the scanning process by enhancing the compatibility of the image-handling software and hardware of the system (see Applicant Admitted Prior Art in page 1 lines 16-17)

Response to Arguments

4. Applicant's arguments filed 07/10/2006 have been fully considered but they are not persuasive.

In the remarks, applicants argued in substances that

(A) Prior art does not teach a host including a user-site TWAIN data management program.

As to point (A), Kim teaches a web browser (page 4 paragraph [0049] and page 6 paragraph [0076]). It would have been obvious to one of ordinary skill in the Data processing art at the time of the invention was made that Kim implicitly discloses a web browser equivalent to a user-site TWAIN data management program disclosed in the applicant's specification (page 5 lines 14-17). A person of ordinary skill in the art would have recognized that the web browser disclosed by Kim performs the identical function specified in the claim (i.e., sending the image data retrieving command, and receiving and displaying the image data hyperlink hypertext) in substantially the same way to reach substantially the same result.

(B) Prior art does not teach a TWAIN network image transmission system.

As to point (B), Kuroshima does teach a TWAIN network image transmission system (i.e., seen in Fig. 4 col. 15 lines 9-col. 16 line 5)

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh Duong whose telephone number is (571) 272-3983. The examiner can normally be reached on Monday- Friday, 9:30PM - 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2155

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

O.D

September 26, 2006


SALEH NAJJAR
SUPERVISORY PATENT EXAMINER